



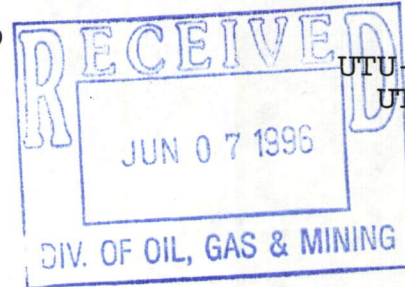
United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Vernal District Office
170 South 500 East
Vernal, Utah 84078-2799

IN REPLY REFER TO:

3809
UTU-66354
UT08016



June 5, 1996

CERTIFIED MAIL
Return Receipt Requested
P 104 699 292

DECISION

Mr. Joseph LaStella
3601 Empire Avenue
Burbank, CA 91505

: Commencement and End of Period
: of Record of Noncompliance,
: Surface Management Case
: UTU-66354

You established a Record of Noncompliance by decision letter dated February 8, 1995.

On October 26, 1995 a change in operator for the project area under surface management case UTU 66354 was filed with this office. The new operator has taken over responsibility for the reclamation of the areas you had previously disturbed. This filing negates the requirement for you to complete the reclamation of the area as ordered under prior notices of noncompliance issued to you. You are relieved of the requirement to post a reclamation bond as ordered in the February 8, 1995 decision letter. The period of the record of noncompliance, 3 years (as established in the February 8, 1995 decisions letter) shall have commenced on October 26, 1995 and will terminate October 25, 1998.

During this period if you should operate on any Bureau of Land Management lands you will be required to file a Plan of Operations (under 43 CFR 3809.1-4) for any operation which may otherwise be conducted under a "notice" (43 CFR 3809.1-3). If a plan of operation is approved by the appropriate Authorized Officer, a 100-percent reclamation bond will also be required (100% means the bond will be sufficient to cover the reclamation of all planned disturbances).

This decision is appealable to the Utah State Director (BLM) in accordance with 43 CFR 3809.4). If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from the receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

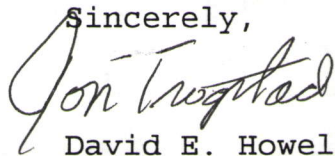
If you wish to file a petition (request) [pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993)] for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the State Director, the petition for a stay must accompany your notice of appeal. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on its merits,
- (3) The likelihood of immediate and irreparable harm if a stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If you have any questions please contact Pete Sokolosky at (801) 781-4501.

Sincerely,



David E. Howell
Vernal District Manager

cc: **UDOGM** (Tracking #S/047/048)
Utah State Office (UT-921)
Leo Snow (Prior Locator of Record, Sno-Ben #2, UMC 282391)
Norman R. Haslam (Current Operator of Record)
Robert Covington (Co-locator of Record, Pebble Puppy #2 Placer
Mining Claim, UMC 236372)

bcc: Reading File
Case File UTU66354
Backup Case File UTU66354